Attachment 21

Far North Solar Farm Limited
Response to Section 53 Comments of the Royal Forest and Bird Protection Society of New Zealand Incorporated
FTAA-2509-1100 – The Point Solar Farm

26 February 2026

Far North Solar Farm Limited (FNSF) has carefully reviewed the Section 53 comments submitted by the Royal Forest and Bird Protection Society of New Zealand Incorporated on 19 February 2026, along with the attached evidence from Dr Rachel McClellan. We appreciate Forest & Bird's long history of advocacy for nature in Aotearoa New Zealand and share the goal of protecting indigenous species and habitats.

Since Forest & Bird filed its comments, we have completed comprehensive additional fieldwork in February 2026 and finalised all ecological management plans. These additional documents respond directly to the matters raised and provide further clarity on ecological outcomes. We have also formalised a $1,000,000 Avifauna Compensation Strategy with the Department of Conservation, which will be paid on the commencement of construction. This funding will support targeted, Basin-wide actions for kākī and other threatened and at-risk species.

Canterbury Regional Council has confirmed in its own Section 53 comments that the proposal is generally consistent with the relevant planning documents and that the effects can be appropriately managed.

We address relevant points raised by Forest & Bird in the order they appear in its submission. Where helpful, we have grouped related paragraphs for clarity while ensuring nothing is overlooked.

Avifauna effects and bird-strike risk (Paragraphs 5, 10–13, 40–53)

The Point is not a testing ground for bird-strike risk, and the evidence now before the Panel demonstrates that the project can proceed without material population-level effects on Threatened or At Risk birds. Nonetheless, FNSF intends to implement a comprehensive suite of mitigation measures, which are detailed further below.

Collision risk is addressed first through a comprehensive suite of **avoidance and on-site mitigation measures**, detailed in the finalised Avifauna Management Plan (Wildlands Contract Report 6621h-i, February 2026) and given effect by the proposed consent conditions:

- **Pre-works surveys**: A suitably qualified avifauna ecologist must conduct surveys no more than eight days before physical works commence during the breeding season (1 July to 1 March), with repeat surveys if works pause for more than eight days or move to new areas.

- **Nest protection and exclusion zones**: 100-metre setbacks (or smaller where approved by a suitably qualified expert) around any nests of Threatened, ARisk or protected species, with total exclusion zones clearly demarcated and maintained.
- **Design features to minimise collision risk**: Anti-reflective coatings on panels; 3.8–4.8 metre spacing between panels; standard 55-degree night rest position (vertical) from after sunset until before sunrise to minimise nighttime reflectivity.
- **Operational controls**: Vehicle speed limits on site; noise and vibration reduction; avoidance of large areas of bare ground that could attract nesting.
- **Carcass monitoring and adaptive management**: Systematic carcass searches with autopsy for a minimum of three years post-construction (extendable if required), using statistically robust methods informed by the Literature Review Report on international and New Zealand bird collision data. Clear mortality thresholds trigger preparation of a Bird Collision Management Plan, which may include additional deterrence measures or operational adjustments.
- **Incidental discovery protocol**: Immediate cessation of works within 100 metres of any newly discovered nest or injured bird, with prompt reporting to the Site Manager and DOC.

These measures reflect best practice and have been informed by DOC input. They are secured through the Avifauna Monitoring Plan (AMP) and Bird Collision Management Plan (BCMP) requirements in the proposed consent conditions.

Any residual risk remaining after implementation of the avoidance and mitigation package is proposed to be addressed through the **$1,000,000 DOC Avifauna Compensation Strategy** (ACS), which would fund the following targeted basin-wide actions:

- $595,000 for continued predator control in the Godley and Cass River areas (improving survival of kākī, black-fronted tern and other species);
- $405,000 for a dedicated transmitter tracking project to understand post-release movements and mortality of young kākī (including in relation to solar infrastructure);
- $35,000 for wetland enhancement;
- $15,000 for instream invertebrate research to optimise release timing.

These activities help to address concerns raised by Forest & Bird and Dr McClellan about population-level effects. Funds are ring-fenced, with annual monitoring and reporting to verify outcomes. This proposed compensation is additional to existing conservation programs being undertaken in the Basin and will help to address any residual site-specific effects.

Paragraph 6 – Effects on other indigenous flora and fauna appear capable of being mitigated, offset, or compensated

We agree that effects on other indigenous flora and fauna can be appropriately managed. The February 2026 surveys confirm low vegetation values inside the panel footprint due to historical cultivation, and the ecological enhancement areas represent a permanent land-use shift from intensive pastoral grazing to managed ecological enhancement. Peripheral higher-value areas are excluded from the panel footprint and will be protected and enhanced. The Vegetation Management Plan, Lizard Management Plan, Terrestrial Invertebrate Management Plan, Pest Mammal Management Plan, and 81-hectare ecological

enhancement area now provide the comprehensive baseline and monitoring framework that Forest & Bird rightly emphasises. All plans include clear, measurable outcomes, and adaptive management triggers.

Paragraph 7 – Need for adequate baseline data for monitoring the enhancement plan

The February 2026 surveys - comprising 118 ecologist hours, 32 quantitative RECCE plots, grid searches, and targeted searches for threatened plants in gullies — provide a comprehensive set of baseline data. Every management plan includes ongoing monitoring against these data, with clear adaptive management triggers and regular reporting to the Council and DOC.

Paragraph 8 – Adverse effects on the outstanding natural landscape of the Mackenzie Basin, including cumulative effects

Our landscape assessment and the updated response from Rough Milne Mitchell (RFI Response 2 – Landscape, 23 February 2026) recognise that effects will be moderate to high at a local scale but are appropriately mitigated through low-profile panels (maximum tilted height 2.95 m), carefully selected colours (light reflectance value <30 %), selected perimeter planting, and the enhancement zone. Because this particular terrace is already highly modified from decades of cultivation, the project makes only a limited contribution to any broader degradation of the basin's landscape values. Cumulative effects with Haldon Solar Farm and the existing Waitaki HEPS have been assessed; at a wider basin scale the change remains acceptable given the modified nature of this specific terrace.

Paragraph 9 – Reference to Dr McClellan's evidence

Dr McClellan's evidence was prepared before the February 2026 survey results and finalised management plans were available. Those documents, together with the formal $1 million DOC Avifauna Compensation Strategy, provide the Panel with clear, site-specific evidence that addresses many of the points raised by Dr McClellan.

Paragraphs 10–13 and 40–53 – Avifauna values, bird-strike risk, and management

The February 2026 surveys show low on-site foraging and breeding activity inside the panel footprint. Adjacent high-value habitats are protected by generous buffers. Bird strike risk is managed through the measures already described, noting that the proposed $1 million DOC compensation package is intended to address potential residual effects on avifauna.

FTAA decision-making framework (Paragraphs 14–30)

We agree with Forest & Bird's characterisation of the statutory test, including the requirement to give greatest weight to the purpose of the Act and the four-stage assessment under section 85(3). The evidence satisfies clause 17 of Schedule 5. The project's national benefits are substantial and are sufficient to address the minor, localised, and fully managed adverse effects. Cumulative effects have been considered, and this proposal stands out for having the lowest on-site vegetation values among advanced applications (compared with

Haldon and Tekapo farms), together with a strong functional and operational need supporting its location on “The Point” block.

Paragraphs 31–33 – Site classification as critically under-protected land and precautionary approach

The footprint is highly modified cultivated pasture. We have applied the precautionary approach through detailed surveys that confirm low values on site, avoidance of sensitive margins, and a compensation package that will deliver Basin-wide benefits. We also acknowledge that the site is adjacent to significant braided habitat for a range of Threatened and At Risk bird species.

Paragraphs 34–39 – Indigenous vegetation, effects of past farming, and perimeter values

The February 2026 surveys confirm that vegetation values inside the panel area are low precisely because of historical cultivation. All significant perimeter vegetation is excluded from the development footprint and will be protected and enhanced within the 81-hectare ecological enhancement area.

Paragraphs 54–56 – Lizards and invertebrates

Targeted surveys were completed in February 2026, and the relevant management plans indicate that a net gain for lizards and invertebrates is achievable if the proposed measures are appropriately implemented.

For lizards, the February 2026 surveys identified habitat suitable for southern grass skink (*Oligosoma aff. polychroma* Clade 5) and McCann’s skink (*Oligosoma maccanni*), with confirmed presence in the periphery areas (particularly eastern gullies and stonefield zones), which are outside the development area. Values are low inside the cultivated panel footprint itself. The Lizard Management Plan (Wildlands Contract Report 6621h-v) sets out a the following comprehensive package of avoidance, salvage, translocation, and enhancement measures:

- **Avoidance**: All higher-value lizard habitat in the eastern gullies and stonefield drylands is excluded from the solar panel footprint.
- **Salvage and translocation**: Pre-construction salvage surveys by a suitably qualified ecologist, with capture, marking (xylene-free silver Sharpie), health checks, and release to safe on-site locations within the 81-hectare ecological enhancement area or eastern gully corridors.
- **Lizard corridors**: Creation and maintenance of dedicated lizard movement corridors linking the eastern gullies to the 81-hectare enhancement area. These corridors will consist of continuous strips of low-growing indigenous vegetation (e.g. matagouri, speargrass, native herbs) with minimal disturbance, pest-proof fencing where required, and ongoing monitoring to ensure connectivity and habitat quality. The corridors are designed to facilitate natural dispersal and gene flow between populations, reducing fragmentation effects.
- **Habitat enhancement**: Within the 81-hectare ecological enhancement area and corridors, habitat will be improved through weed control, adaptive grazing to

suppress exotic grasses and maintain open conditions, and planting of lizard-friendly species.

- **Monitoring and adaptive management**: Annual monitoring of lizard populations in the corridors and enhancement areas, with adaptive triggers for additional pest control or habitat enhancement.

For invertebrates, the surveys identified important populations of the Nationally Vulnerable robust grasshopper (*Sigaus robustus*) and other native taxa in the periphery areas. These values are protected through avoidance and, crucially, through the creation of a dedicated, predator-free 14-hectare invertebrate reserve—the largest of its kind in the Mackenzie Basin. This reserve, combined with the Terrestrial Invertebrate Management Plan (Wildlands 6621h-ii), will deliver a net gain for indigenous invertebrates by providing secure, enhanced habitat with pest control, monitoring, and adaptive management for the life of the project.

Together, the Lizard Management Plan and Terrestrial Invertebrate Management Plan are intended to achieve a net gain for both taxa. The eastern lizard corridors, in particular, provide a functional ecological linkage that maintains connectivity and supports long-term population resilience. These measures are secured by proposed consent conditions requiring certification of the plans, annual monitoring, and adaptive responses where required.

Paragraphs 57–63 – Landscape effects and cumulative impacts

The effects on the outstanding natural landscape (ONL) of the Mackenzie Basin are moderate to high at a local scale but are appropriately mitigated to a low-moderate to moderate degree through detailed design and do not result in inappropriate development of the ONL.

The February 2026 Wildlands Vegetation and Habitat Survey (Contract Report 6621h-vi) confirms that the development footprint itself within the 678-hectare site is highly modified cultivated pasture with very low indigenous values (exotic grassland/herbfield dominant; only resurrection lichen in 10 plots and onion orchid in two plots; no Threatened or At Risk vascular plants inside the panel area). The modified terrace therefore makes only a minimal contribution to the broader ONL's ecological character. Higher-value stonefield drylands, gullies and river margins are located on the periphery and are either avoided entirely or included within the 81-hectare ecological enhancement area.

The updated Rough Milne Mitchell landscape assessment (RFI Response 2 – Landscape, 23 February 2026) provides a clear and consistent evaluation of both direct and cumulative effects. At a **local scale** (top end of Lake Benmore), the combination of The Point and Haldon Solar Farms will result in a moderate to moderate-high degree of change to landscape character through the introduction of large-scale solar infrastructure, creating a semi-industrial/renewable power generation character in that localised area. The existing Waitaki HEPS (lakes and canals) does not meaningfully add to adverse cumulative effects because those features are perceived as natural elements. At a **wider Mackenzie Basin scale** (>400,000 ha), the two solar farms (combined ~990 ha) remain subservient to the openness, vastness and lack of built form that define the Basin's character. Energy production is one characteristic but does not dominate. The projects are clustered in one small part of the Basin with a limited viewing catchment, so they do not cause perceptual

spread. Cumulative adverse effects on the wider Basin are therefore very low to low. Clustering assists with mitigating the spread of localised character change.

Forest & Bird's characterisation in paragraphs 60–61 of the Rough Milne Mitchell report as stating a "significant change" at local scale (and then appearing to downplay it to "low degree" for the wider ONL) is not accurate. Mr Smith responds to this matter in his S53 Response, noting that the stand alone assessment was in relation to the 'receiving environment' being the southeast quadrant of the Basin, whereas the cumulative effects assessment considered the entire Basin. Therefore, the scale at which the assessments have been undertaken is a key factor on why there is a difference in conclusions. Therefore there is no contradiction..

The proposal satisfies Mackenzie District Plan **REG-P6** (renewable electricity generation in the ONL): there is a clear functional and operational need to locate here (record-high irradiance, large flat contiguous parcel, immediate adjacency to existing Transpower lines and Benmore hydro storage for grid resilience), and adverse effects on ONL values are avoided as far as practicable through the measures above. Under **REG-P6.7**, the benefits of the activity (detailed in the proportionality analysis below) outweigh any significant residual adverse effects. Compensation for ecological effects are addressed through the $1 million DOC Avifauna Compensation Strategy and on-site net gain measures, consistent with Policy 4 in Section 19 and Appendix Z of the proposed plan (which require no net loss or net gain for indigenous biodiversity where avoidance is not fully practicable).

The cumulative assessment prepared by Rough Milne Mitchell confirms that, because this terrace is already highly modified, the project makes only a limited contribution to any broader change in the Mackenzie Basin's landscape character. The proposal therefore does not result in inappropriate development of the ONL.

Paragraphs 64–70 – Proposed mitigation, including the Ecological Enhancement Plan and avifauna measures

All recommendations from the original Wildlands report have been incorporated and substantially strengthened in the draft management plans, which in turn flow into the conditions. The Vegetation Management Plan (6621h-iii), Ecological Enhancement Plan, Lizard Management Plan (6621h-v), Terrestrial Invertebrate Management Plan (6621h-ii), and Pest Mammal Management Plan (6621h-iv) now provide a comprehensive, enforceable framework for net ecological gain. This includes generous buffers created by the 81-hectare ecological enhancement area, complete avoidance of significant perimeter vegetation and gullies, long-term (full consent duration) pest animal and weed control with annual reporting and adaptive triggers, and measurable outcomes for ecological enhancement.

Avifauna mitigation has been particularly strengthened and is set out in detail in the finalised Avifauna Management Plan (Wildlands Contract Report 6621h-i, February 2026). The measures are hierarchical — avoidance first, then minimisation, monitoring and adaptive management, with residual risk addressed through compensation:

- **Seasonal timing and pre-works surveys**: During the breeding season (1 July – 1 March), a suitably qualified avifauna ecologist must undertake pre-works surveys no more than eight days prior to works commencing in any area. If works pause for

more than eight consecutive days or move to a new area/stage, a new survey is required.

- **Nest protection and exclusion zones**: Any nests of Threatened, At-Risk or protected species trigger immediate 100-metre total exclusion zones (clearly demarcated). Zones may be reduced only if the nest is screened from disturbance and a suitably qualified expert confirms a smaller buffer is sufficient. Works cannot resume until chicks have fledged and are independent or the nest is confirmed abandoned.
- **Avoidance of attractants**: All practicable steps will be taken to prevent creation of bare ground areas ≥10 m² during construction (which could attract nesting by species such as pied stilt or banded dotterel). If unavoidable, passive deterrents (reflective tape, barriers) will be deployed immediately.
- **Noise, vibration and vehicle controls**: Machinery noise will be managed; loud music will be prohibited; and vehicle speeds on site will be strictly limited to reduce disturbance and collision risk.
- **Design measures to reduce bird strike**: Anti-reflective coatings on all panels; 3.8 -- 4.8 m spacing between panels; standard 55-degree night rest position (vertical) from after sunset until before sunrise to minimise reflectivity at night. If practicable, panels will be oriented away from sources of polarised moonlight.
- **Pest mammal control**: Ongoing, site-wide predator control (targeting mustelids, cats, hedgehogs and rodents) focused on high-value avifauna areas such as wetlands and the southern border, integrated with the Pest Mammal Management Plan.
- **Prevention of encroachment**: 100-metre total exclusion setbacks from all river margins, wetlands and the southern river delta.
- **Incidental discovery protocol**: Immediate cessation of works within 100 m of any newly discovered nest or injured bird, with prompt reporting to the Site Manager and DOC.
- **Post-construction monitoring and carcass searches**: On-site and off-site bird monitoring (fortnightly for at least two years post-construction, extendable if required). Systematic carcass searches with autopsy will be undertaken monthly for three years post-construction (extendable), using statistically robust methods informed by the Literature Review Report on international and New Zealand bird-collision data.
- **Mortality thresholds and adaptive management**: Clear, enforceable thresholds trigger the preparation of a Bird Collision Management Plan (e.g. mortalities of one Nationally Critical bird at any time; two Nationally Vulnerable birds in any 12-month period; three At Risk birds in any 12-month period). The BCMP may include additional deterrence (markings, flags, coatings) or operational adjustments, with further monitoring to test effectiveness.

The $1 million DOC Avifauna Compensation Strategy is intended to provide landscape-scale compensation for any residual risk on avifauna. Funds are ring-fenced for specific, measurable actions in the Godley and Cass River areas and other priority basin habitats (predator control, transmitter tracking of young kākī, wetland enhancement and instream invertebrate research), with annual monitoring and reporting to verify outcomes.

All avifauna measures are secured through the Avifauna Management Plan and Bird Collision Management Plan requirements, which must be certified and operate within clear performance standards set out in the conditions. This package builds on the recommendations in the original Wildlands report and is intended to respond to the concerns raised by Forest & Bird and Dr McClellan.

Paragraphs 71–76 – Subdivision

All subdivision consents sought under this application are for **freehold subdivision** only. No leasehold subdivision consent is required or sought.

The applicant has an agreement to lease whole allotments (Lots 2, 3 and 4) for terms exceeding 35 years. Because the leases are of entire allotments (not part-allotments), the deemed subdivision provisions under section 218 of the RMA are not triggered. A leasehold subdivision is therefore not required. This information was also supplied in response to an earlier RFI from the panel.

Planning framework and s6 matters (Paragraphs 79–86)

The proposal achieves the relevant CRPS objectives through net gain and avoidance of significant values. Mackenzie District Plan policies, including REG-P6.7, are satisfied because the benefits of the activity outweigh any significant residual adverse effects. Section 6 matters are fully addressed: there is no significant indigenous vegetation or habitats of indigenous fauna inside the development footprint, and adjacent values are protected.

Paragraphs 77 and 78 – Stormwater and roading consents

All necessary consents, including construction-phase stormwater and the access road, are covered in the application and RFI responses.

Paragraphs 79–86 – RMA planning framework, CRPS objectives, and Mackenzie District Plan policies

The project achieves the relevant objectives through net gain and avoidance of significant values. Section 6 matters are fully addressed.

In response to Forest & Bird (para 85), we agree that the vegetation within the solar farm footprint does meet the CRPS criteria for rarity/distinctiveness and ecological context (as identified in the Wildlands AEE, 2025) due to the presence of threatened fauna and the ecological role of the site, notwithstanding that the vegetation itself is floristically dominated by exotic species and lacks intrinsic botanical significance. In the application, we intended to state that “the site does not currently support **significant habitats of indigenous fauna**”.

Paragraphs 87–92 – Amended NPS-REG

The proposal enables renewable generation while carefully managing effects in areas engaged by section 6, consistent with the policy’s requirements for adaptive management and compensation.

Paragraphs 93–98 – Assessment of regional and national benefits

The regional and national benefits of the project are substantial, immediate, and quantifiable. They are strongly supported by the National Policy Statement on Renewable Electricity Generation (NPS-REG, as amended December 2025) and clearly outweigh the minor, localised, and fully managed adverse effects.

NPS-REG Policy B requires decision-makers to "recognise and provide for the importance of … enabling cumulative increases of REG capacity and output at any scale and any location". The Point directly gives effect to this policy by delivering 450 MWp of new solar capacity in the Mackenzie Basin — one of the highest-irradiance locations in New Zealand. This will provide approximately 6% of New Zealand's daytime electricity demand during peak generation periods and, through its immediate co-location with Benmore hydro storage and existing Transpower lines, enables hydro operators to store water during daylight hours and release it for evening and winter peaks. This grid-resilience benefit is of genuine national importance, particularly in dry years and under increasing climate variability.

Policy F(1) is even more directive: "Decision-makers must enable REG assets and activities in all locations and environments." Where s 6 RMA matters are engaged (as they are here), **Policy F(2)** requires the policy to be read alongside other relevant national direction, regional policy statements and district plans. The February 2026 Wildlands surveys and finalised management plans show that effects on s 6 values are minor and localised inside the panel footprint, higher-value areas are avoided or enhanced, and any residual risk is adequately compensated at a Basin scale by the $1 million DOC Avifauna Compensation Strategy. When these measures are read alongside the strong enabling direction in Policies B and F, the project is squarely within the category of regionally and nationally significant infrastructure that the NPS-REG and the FTAA purpose are designed to facilitate.

The societal value of renewable electricity generation is also significant. New Zealand has committed to 100% renewable electricity by 2030 and net-zero emissions by 2050. Every new gigawatt-hour of renewable generation displaces thermal generation (or avoids the need for new fossil-fuel peakers) and contributes to energy security, lower long-term power prices, and decarbonisation of the economy. The Point's contribution — 450 MWp of dispatchable daytime solar that optimises existing hydro storage — delivers these societal benefits at scale while utilising already-modified land.

The project's inclusion in **Schedule 2 of the Fast-track Approvals Act 2024** itself conveys parliamentary recognition of its national significance. Many projects applied for inclusion in the Bill but did not meet the threshold; The Point was specifically selected because it was assessed as delivering significant regional or national benefits.

The economic and social benefits are equally clear: more than $500 million in capital investment, hundreds of construction jobs, and ongoing operational employment. These outcomes align directly with the FTAA purpose (s 3) to facilitate infrastructure and development projects with significant regional or national benefits.

Proportionality Analysis under section 85(3) of the FTAA

The FTAA requires the Panel to weigh the project's regional and national benefits against its adverse effects. On one side of the scale are benefits that are immediate, quantifiable, and of genuine national importance: 450 MWp of solar capacity that can meet around 6 percent of New Zealand's daytime electricity demand during peak generation periods, the ability to optimise Benmore hydro storage for evening and winter peaks (improving security of supply in dry years), more than $500 million in capital investment, hundreds of construction jobs, ongoing employment, and a direct contribution to New Zealand's decarbonisation targets.

On the other side are the adverse effects, which the February 2026 surveys show are minor and localised. Indigenous vegetation values inside the panel footprint are very low. Higher-value gullies and stonefield areas will be avoided or enhanced, delivering net ecological gain. Avifauna risk is managed through detailed mitigation and compensated at a Basin scale by the $1 million DOC Avifauna Compensation Strategy, which funds the four targeted activities described above. These activities will maintain and improve populations of kākī and other threatened species across the Mackenzie Basin, providing benefits that far exceed any residual risk at the site. Landscape effects are moderate to high locally but are reduced by low-profile design and screen planting, and the modified nature of the terrace limits the project's contribution to broader basin degradation. All other effects are less than minor or appropriately managed.

When these two sides are weighed, the national benefits substantially outweigh the adverse effects. The impacts are not sufficiently significant to be out of proportion to the benefits, even after taking into account the comprehensive conditions and compensation package. The proposal therefore passes the section 85(3) test.

Conditions (Paragraphs 101–125)

FNSF notes Forest and Bird's comments on the consent conditions. FNSF can confirm that the proposed conditions are currently being amended and re-formatted by expert condition writer Carolyne Wratt and will be provided to the Panel on 3 March 2026.

Overall Conclusion and response to the S53 comments

Forest & Bird's submission was prepared before the February 2026 survey results and the finalised management plans were available. Those documents, together with the formal $1 million DOC Avifauna Compensation Strategy and its targeted, Basin-wide actions for kākī and other species, provide the Panel with clear, site-specific evidence that indigenous values inside the development footprint are low, that higher-value areas are protected and enhanced, and that any residual effects are appropriately mitigated or compensated. The project delivers significant national benefits that substantially outweigh its effects.